

Application Serial No.: 09/973,730
Reply to Office Action dated August 2, 2005

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-4, 6, and 11-15 are presently active in this case, Claims 1, 3, 6, 11, 12, and 15 having been amended by way of the present Amendment. Claims 5 and 7-10 have been canceled without prejudice or disclaimer. Care has been taken such that no new matter has been entered.

The Applicants want to thank Examiner Brian Gordon for the courtesies extended to Applicants' representative, Christopher Ward, during the personal interview conducted on November 3, 2005.

In the outstanding Official Action, the drawings were objected to under 37 CFR 1.83(a). The Applicants respectfully submit that the Figures 1-4 clearly depict all of the features recited in the claims. The claims have been amended to recite language directly corresponding to that used in the original specification. By way of illustration and not limitation, the figures clearly depict an embodiment of a first threading (5), a first corresponding threading on nut (6), a fine adjustment sleeve (12) having a groove (13) with a fairly low-gradient pitch (see also, page 5, lines 19-20), a pin (16), a further threading (17), and a nut (18) (see also, page 6, lines 17-20). Accordingly, the drawings clearly show all of the features recited in the claims. Thus, the Applicants respectfully request the withdrawal of the objection to the drawings under 37 CFR 1.83(a).

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The drawings were also objected to under 37 CFR 1.84(p)(5). Reference numerals 27 and 29 have been removed from the description on page 6, thereby rendering this objection moot. Accordingly, the Applicants request the withdrawal of the objection to the drawings under 37 CFR 1.84(p)(5).

The specification was objected to for failing to provide antecedent basis for the claimed subject matter. The phrase “calibration mechanism” has been removed from the claims, and the recited further threading and nut configured to calibrate a movement of the piston in the housing by cooperating with the further threading is clearly disclosed in the specification, for example, on page 5, lines 30-31, and page 6, lines 17-21. Accordingly, the Applicants request the withdrawal of the objection to the specification.

The amendment filed on June 6, 2005, was objected to under 35 U.S.C. 132(a) as introducing new matter. The Applicants respectfully traverse this assertion. No new matter has been entered. The terminology used in the claims directly corresponds to terminology used in the original specification. Additionally, the claimed limitations are clearly supported by the original written description and drawings as would be clearly evident to one of ordinary skill in the art. As noted above, by way of illustration and not limitation, the figures and written description clearly disclose an embodiment of a first threading (5), a first corresponding threading on nut (6), a fine adjustment sleeve (12) having a groove (13) with a fairly low-gradient pitch (see also, page 5, lines 19-20), a pin (16), a further threading (17), and a nut (18) (see also, page 6, lines 17-20). Accordingly, the Applicants respectfully request the withdrawal of the objection under 35 U.S.C. 132(a).

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Claims 1-15 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. As discussed above, the specification discloses all of the claimed features. As noted above, the written description and the drawings clearly disclose an embodiment of a first threading (5), a first corresponding threading on nut (6), a fine adjustment sleeve (12) having a groove (13) with a fairly low-gradient pitch (see also, page 5, lines 19-20), a pin (16), a further threading (17), and a nut (18) (see also, page 6, lines 17-20). The Applicants note that the drawings can provide disclosure support, yet they do not appear to be given any weight in the Official Action. For example, the Applicants note that if a close inspection of Figure 2 is made, especially in conjunction with the clear disclosure on page 5, lines 19-20, it is evident that the groove (13) is provided with a pitch that slopes downward from left-to-right by 1/32 of an inch. This pitch provides for the fine adjustment described in the specification. (See page 2, lines 7-11, page 3, lines 15-21, page 4, lines 12-13, and page 5, lines 18-20.) Furthermore, by reviewing the drawings as well as the various discussions throughout the disclosure, e.g. on page 6, lines 17-20, it is clearly evident to one of ordinary skill in the art that calibration of the pipette is carried out by nut (18) and threading (17), which is mated therewith. Accordingly, the Applicants respectfully request the withdrawal of the rejection of Claims 1-15 under 35 U.S.C. 112, first paragraph.

Claim 15 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 15 has been amended to recite that a range of rotation of the

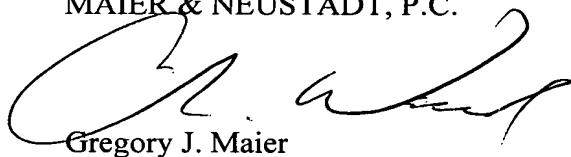
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fine adjustment sleeve for adjustment is less than or equal to one revolution of the fine adjustment sleeve, which is clearly disclosed to one of ordinary skill in the art in the figures based on the interaction between the pin (16) within the groove (13) that will limit the rotation of the fine adjustment sleeve (12). (See also, page 3, lines 29-31.) Accordingly, the Applicants request the withdrawal of the indefiniteness rejection.

Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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